



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING & DEVELOPMENT**

Project Number: 3013130
Applicant Name: Kristin Jensen for Touchstone Corporation
Address of Proposal: 1821 Boren Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 14-story structure containing 222 units of lodging (Hotel) with 285,553 sq. ft. of office space and 3,529 sq. ft. of retail space. Parking for 335 vehicles to be provided below grade.

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure to allow more than the maximum permitted wall length without modulation (Boren Avenue). (SMC 23.49.058A)

Development Standard Departure to allow smaller than the minimum size loading berths. (SMC 23.54.035)

SEPA-Environmental Determination (Chapter 25.05 SMC)

SEPA Determination: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☒ MDNS with conditions

 ☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

Current Development:

The existing site includes a surface parking lot, a two-story masonry building (built 1924), a one-story masonry building (built 1920), and a one-story parking structure (built 1950).

Access:

Existing vehicular access is via curb cuts at Boren Ave and Howell St, and via the alley. Existing pedestrian access to the buildings is via Boren Ave and Stewart St.



Surrounding Development and Neighborhood Character:

Beginning at Howell and Terry, the site is bracketed by the former Regence Blue Shield Building, currently the site of Seattle Vault Self Storage Building. The waffle slab structure has a cast in place concrete exterior. The site includes an issued MUP for a 30 story building with retail at the streetscape and automobile drop off for the project on the alley.

East of the alley the site is defined by a surface parking lot at the corner of Howell and Boren. Moving North away from Howell, a partially subterranean, former service station is now used as a parking deck. Another surface parking lot occupies the middle of the block.

An older two-story building occupies the corner of Stewart and Boren, which includes a printing shop on the street level and a dance studio on the second level. Between this corner and the alley a single story retail building houses a former fitness facility.

At the corner of Stewart and Terry, the site is bracketed by The Williamsburg Apartments, an older three level building.

The site is located in the Denny Triangle area north of downtown in a pedestrian-oriented area with frequent transit service. The Convention Center and shopping areas are located to the southeast. The Convention Center transit tunnel entry is located two blocks to the southeast.

To the north and west are a mix of older office buildings, limited residential development, and several surface parking lots. To the west and southwest are a number of newer developments including residential mixed-use, medical office, and other commercial structures.

Boren Avenue is a busy arterial carrying vehicles between South Lake Union and Capitol Hill. Stewart Street is a street heavily used by pedestrians, transit, and cars to access the Downtown core. Howell St includes moderate levels of vehicular traffic.

EARLY DESIGN GUIDANCE MEETING: April 24, 2012

DESIGN DEVELOPMENT

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

Additional information was provided in response to DPD direction to include an option with the hotel use on Stewart St. DPD requested this information as a possible solution to provide a drop off area adjacent to the hotel use, which is a goal of the applicant's. The response asserted that the hotel is better sited on Howell St in response to nearby hotels, shopping, and the Convention Center. A curb cut would require a Type I modification of the Land Use Code requirements, subject to approval by DPD.

The separation between the office portion and the hotel portion would be 20' wide, but the two portions of the building would be connected with a covered structure over the 'porte cochere' vehicular entry. The separation would allow light into the porte cochere, and would allow windows on all sides of the office building.

The street level design intent is to provide a consistent streetscape experience on Boren Ave through the colonnade. The vehicular entry and curb cut could be designed as a public open space, including natural light interior to the site to visually break the office and hotel use, unique paving, and stormwater capture.

The applicant provided graphics demonstrating the proposed departures.

PUBLIC COMMENT

Approximately 15 members of the public signed in at this Early Design Review meeting. No comments were offered.

INITIAL RECOMMENDATION MEETING: December 4, 2012

DESIGN DEVELOPMENT

The packet includes materials presented at the meeting, and is available online by entering the project number (3013130) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

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PUBLIC COMMENT

No public comments were offered at the Recommendation meeting.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance, and recommendations.

Early Design Guidance (April 24, 2012):

1. Design concept

- a. The Board noted that the design needs to include clear separation between towers, with a visual and physical change in the colonnade to express that separation. The Board discussed stopping the colonnade above the proposed porte cochere, pushing the colonnade back into the porte cochere as two possible solutions. Any proposed design solution should emphasize the separation between the two portions of the building and give a visual indication of the zone of interaction between pedestrians and vehicles. (B-4, C-1,C-6,E-1)
- b. The design of the colonnade may be a challenge as related to the building corners and the street front facades at Howell St and Stewart St. The design was unclear in showing whether the colonnade might wrap the corners and continue on these streets. The Board clarified that if it stops at the corner, a graceful architectural transition will be required. The colonnade design should relate well to pedestrian experience on each street frontage. (B-2,C-4,C-5)
- c. The colonnade scale of 25-35' will need careful treatment for human scale. The Board noted the height will help to maximize light and air, but the height will also present a challenge in creating a human scaled space. (B-2, B-4, C-1)
- d. The two uses (hotel and office) need to be expressed individually in the building skin, landscaping, lighting, etc. (B-4,C-2,C-3)

- e. The office use and the hotel use should include vertical differences as well as façade modulation. The Board noted that the two portions of the structure are shown at the same height, but a stepped roofline may emphasize the modulation better. The massing should create a transition between the taller structures to the southwest and the lower structures to the north and east. (B-4)
- f. The overall design concept should express Downtown urban character, in spite of the lower height and wider mass. (B-1)
- g. The applicant should work to design a building to set a positive context for this area. There are few examples of nearby context that provide design direction for newer development, aside from the Aspira building. (B-1,D-2,D-3,D-4,D-5)
- h. The design of the rooftop and top of the building in the skyline is important, because it is on the leading edge of taller buildings to the west and southwest. The rooftop will be visible from the taller buildings, and the proposed building will be visible as the edge of this skyline. (A-1,A-2)

2. Driveway entry/curb cut design

- a. If a curb cut is approved by DPD, the design of the curb cut needs careful design attention to enhance pedestrian safety and visual interest. (C-1,E-1)
- b. The design of the curb cut needs to create a transition between the two portions of the building and tie those together. The design of the curb cut and porte cochere also needs to relate to the colonnade design (see Design concept comments).

Final Recommendation Meeting (December 4, 2012):

1. Design Concept (B-4, C-6, E-1):

- a. The location of the porte cochere is not aligned with the gap between buildings, which seems to conflict with the overall design concept. However, the Board declined to recommend a condition for this item. (B-4, D-3)
- b. The Board discussed the architectural concept of using a dark material for the 'shell' with lighter and transparent materials for the building program. The dark strip at the southeast corner on the hotel portion of the building appears to be inconsistent with this design strategy. The Board recommended a condition to continue the combination of light gray materials at the southeast corner, rather than the solid black material, to create a stronger consistent architectural concept. (B-4)

2. Colonnade Design: The Board discussed concerns with the colonnade and the street level office and hotel lobby uses that lack building entries, uses to enhance human activity, and the potential for loitering in the covered public walkway areas.

- a. To enhance human activity and passive surveillance, the Board recommended a condition to require glazing at the Boren Ave street frontage to remain transparent in perpetuity. (C-1, C-3, D-6)
- b. To enhance human activity and provide entries that relate to the building uses, the Board recommended a condition to require a direct entry between the café and Boren Avenue. The Board also encouraged the applicant to use other strategies to increase permeability and human activity. (C-1, C-4)

3. **Roof design:**

- a. The Board noted that the roof design is important, given that the proposed building height is lower than nearby and future development, but declined to recommend a condition related to the rooftop design. (D-1, A-2)

The Board identified the following Downtown Design Guidelines of highest priority for this project. The Downtown guidelines are summarized below. For the full text please visit the [Design Review website](#).

- A-1 Respond to the Physical Environment.** Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.
- A-2 Enhance the Skyline.** Design the upper portion of the building to promote visual interest and variety in the downtown skyline.
- B-1 Respond to the Neighborhood Context.** Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.
- B-2 Create a Transition in Bulk & Scale.** Compose the massing of the building to create a transition to the height, bulk, and scale of development in neighboring or nearby less intensive zones.
- B-4 Design a Well-Proportioned & Unified Building.** Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.
- C-1 Promote Pedestrian Interaction.** Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.
- C-2 Design Facades of Many Scales.** Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.
- C-3 Provide Active—Not Blank—Facades.** Buildings should not have large blank walls facing the street, especially near sidewalks.
- C-4 Reinforce Building Entries.** To promote pedestrian comfort, safety, and orientation, reinforces the building's entry.
- C-5 Encourage Overhead Weather Protection.** Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

- C-6 **Develop the Alley Façade.** To increase pedestrian safety, comfort, and interest, develops portions of the alley façade in response to the unique conditions of the site or project.
- D-2 **Enhance the Building with Landscaping.** Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.
- D-3 **Provide Elements that Define the Place.** Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building.
- D-4 **Provide Appropriate Signage.** Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.
- D-5 **Provide Adequate Lighting.** To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.
- D-6 **Design for personal safety & security.** Design the building and site to promote the feeling of personal safety and security in the immediate area.
- E-1 **Minimize Curb Cut Impacts.** Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

DEVELOPMENT STANDARD DEPARTURES

The Board’s recommendation on the requested departure(s) was based upon the departure’s potential to help the project better meet the design guideline priorities and achieve a better overall design than could be achieved without the departure(s).

1. **Façade Modulation (23.49.058A):** The Code requires structures that are 85’-160’ tall and within 15’ of the street lot line to have unmodulated walls that are no more than 155’ long. This would result in an area of modulation at the building corner that measures 60’ wide by 88’ tall, and inset 15’ from the property line. The applicant proposes a 164’ long unmodulated wall on Boren St. The proposed area of modulation measures 70’ wide by 122’ tall, and inset 2’ from the property line.

This departure would provide an overall design that would better meet the intent of Design Guidelines B-4, C-2 and C-6 by using materials and texture to create a strong architectural concept at both the alley and street facing facades.

The Board unanimously recommended that DPD grant the departure.

- 2. Loading Berth Requirements (23.54.035):** The Code requires 5 loading berths with minimum lengths of 35' each. The applicant proposes 2 loading berths that measure 35' long, and one loading berth that measures 25' long.

This departure would provide an overall design that would better meet the intent of Design Guideline C-6 by reducing the visual impact of loading spaces and providing an alley façade that is well-composed and relates to the overall design concept.

The Board unanimously recommended that DPD grant the departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated December 4, 2012, and the materials shown and verbally described by the applicant at the December 4, 2012 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. The glazing at the Boren street frontage should remain transparent for the life of the project. (C-1, C-3, D-6)
2. The southeast corner should be modified to continue the combination of light gray materials, rather than the solid black material, to create a stronger consistent architectural concept. (B-4)
3. The café on Boren Avenue should be revised to provide a direct entry between the café and the sidewalk. (C-1, C-4)

Applicant response to Recommended Design Review Conditions:

1. A condition for the life of the project has been added to the MUP Decision.
2. The southeast corner was modified to reflect the lighter grey combination of colors found elsewhere on the design. The proposal satisfies condition #2.
3. An entry has been added between the café and the sidewalk. The proposal satisfies condition #3.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 30, 2012. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for most of the impacts and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665). Further discussion and mitigation of some impacts is warranted, as listed below.

Short Term Impacts

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the PM peak hours on Boren Avenue and Stewart Street, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction parking impacts and other haul truck trip impacts, the applicant shall submit a Construction Haul Route and Construction Parking Plan for approval by Seattle Department of Transportation. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of this approved plan shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

Long Term Impacts

Historic Preservation

The applicant nominated the existing building on site for historic landmark status. The Department of Neighborhoods determined that the property did not meet the criteria for a historic landmark (LPB 336/12). Therefore, no mitigation is warranted for mitigation of potential historic landmarks.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analyses:

- "Transportation Technical Report, Edison Project, 1099 Stewart Street & 1050 Howell Street (DPD Project #3013130), Prepared for Touchstone Corporation," by Heffron Transportation, Inc., dated July 6, 2012
- "Technical Memorandum, Edison Project (DPD Project #3013130), Analysis of Boren Avenue Driveway," dated September 6, 2012, by Heffron Transportation, Inc.
- "Technical Memorandum, Hill7 Hotel/Edison Project (DPD Project #3013130), Queuing Analysis for Boren Avenue Driveway," dated December 13, 2012, by Heffron Transportation, Inc.
- "Memorandum, 1821 Boren Avenue (Edison/Hill7 Project) DPD Project #3013130," dated December 13, 2012, by Heffron Transportation, Inc.

The project is expected to generate a net total of 1010 daily vehicle trips, with 131 net new AM Peak Hour trips and 115 net new PM Peak Hour trips. Level of service analysis was performed for nearby intersections. That analysis showed that the project is expected to add a small amount of delay at each of the study intersections, but is not expected to significantly affect their overall operation.

The project proposes to mitigate traffic impacts by implementing a Transportation Management Plan (TMP) consistent with DPD Director's Rule 9-2010 prior to issuance of any certificate of occupancy for the project. The goal of the TMP would be to reduce single-occupant vehicle trips to 41 percent of all trips at the site. Key elements of the TMP would include:

- Provide a transportation coordinator to manage and promote the TMP.
- Install commuter information center in appropriate location.
- Unbundle parking charges from the tenant leases.
- Require tenant participation in the TMP.
- Conduct biennial surveys of TMP effectiveness and submit regular reports about TMP elements as required by the City of Seattle.
- Provide ride-match information.
- Provide reserved parking spaces for vanpools.
- Provide shower and locker facilities for commuters who walk or bike to work.
- Provide bike storage in an easily-accessible bicycle corral in a covered location with good lighting.

With implementation of the TMP, the project parking garage is expected to be sufficient to contain the peak parking demand for the project with little or no spillover parking.

The project will also mitigate traffic impacts by participating in the City of Seattle SDOT Active Traffic Management project for the Denny Way corridor, as described in Client Assistance Memo (CAM) 243. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$3,720 in order to help reduce project transportation impacts. This fee shall be paid prior to building permit issuance, consistent with DPD business rules.

With those mitigation measures, the project is not anticipated to cause significant adverse impacts to parking or traffic.

MITIGATED DETERMINATION OF NONSIGNIFICANCE

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Mitigated Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ There is no comment period for this DNS.
- ☒ This MDNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.
- ☐ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days after the date of issuance of a DNS.

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Grading, or Building Permit

1. The applicant shall provide a copy of a Construction Haul Route and Construction Parking Plan, approved by Seattle Department of Transportation.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #5, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

Prior to Issuance of a Building Permit

3. The applicant shall submit and have approved by DPD a Transportation Management Plan consistent with DPD Director's Rule 9-2010.
4. The applicant shall make a pro rata mitigation payment pursuant to CAM 243 in the amount of \$3,720 to the City of Seattle.

During Construction

5. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #2.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

6. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
7. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

8. The glazing at the Boren street frontage shall remain transparent. The glazed windows shall not be covered with film, interior walls, or otherwise made translucent or opaque.
9. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: (signature on file)
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development

Date: February 25, 2013